

WSR 23-18-007

PROPOSED RULES

DEPARTMENT OF HEALTH

(Washington Medical Commission)

[Filed August 23, 2023, 4:00 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 23-05-054.

Title of Rule and Other Identifying Information: Health equity continuing education (CE) requirements for allopathic physicians, WAC 246-919-445, and physician assistants, WAC 246-918-195. The Washington medical commission (WMC) is proposing new sections of rule to establish health equity CE requirements to implement ESSB 5229 (chapter 276, Laws of 2021).

Hearing Location(s): On October 20, 2023, at 8:30 a.m. Register for the virtual meeting via [Microsoft] Teams <https://events.gcc.teams.microsoft.com/event/8ab2751c-9156-4c44-94b2-39d78e013a63@11d0e217-264e-400a-8ba0-57dcc127d72d>; or attend in person at the Department of Health, 111 Israel Road S.E., Room 160, Tumwater, WA 98501. To join the WMC's rules interested parties email list, please visit [https://public.govdelivery.com/accounts/WADOH/subscriber/new?topic\\_id=WADOH\\_153](https://public.govdelivery.com/accounts/WADOH/subscriber/new?topic_id=WADOH_153).

Date of Intended Adoption: October 20, 2023.

Submit Written Comments to: Amelia Boyd, Program Manager, P.O. Box 47866, Olympia, WA 98504-7866, email <https://fortress.wa.gov/doh/policyreview>, by October 13, 2023.

Assistance for Persons with Disabilities: Contact Amelia Boyd, phone 1-800-525-0127, TTY 711, email [medical.rules@wmc.wa.gov](mailto:medical.rules@wmc.wa.gov), by October 13, 2023.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: RCW 43.70.613 (3)(b) directs the rule-making authority for each health profession licensed under Title 18 RCW that is subject to CE to adopt rules requiring a licensee to complete health equity CE training at least once every four years. The statute also directs the department of health (department) to create model rules establishing the minimum standards for health equity CE programs. The department filed model rules for health equity CE minimum standards on November 23, 2022, under WSR 22-23-167. Any rules adopted by WMC must meet or exceed the minimum standards in the model rules in WAC 246-12-800 through 246-12-830.

WMC is proposing new WAC 246-919-445 for allopathic physicians and new WAC 246-918-195 for physician assistants to implement ESSB 5229. WMC is proposing adopting the health equity model rules, WAC 246-12-800 through 246-12-830, for allopathic physicians and physician assistants to comply with RCW 43.70.613.

The proposed rule adds two hours of health equity education, as required in the model rules, to be completed as part of the current CE requirements every four years. The proposed rule does not change total CE hours but requires two hours in health equity CE every four years which is absorbed into the existing number of CE hours required. The health equity CE requirement is counted under existing, unspecified CE requirements for the profession.

Reasons Supporting Proposal: The goal of health equity CE is to equip health care workers with the skills to recognize and reduce health inequities in their daily work. The content of health equity trainings include implicit bias trainings to identify strategies to reduce bias during assessment and diagnosis in an effort to address

structural factors, such as bias, racism, and poverty, that manifest as health inequities.

Two hours of training allows individuals to gain a foundation in health equity that can have an immediate positive impact on the professional's interaction with those receiving care. Health equity training enables health care professionals to care effectively for patients from diverse cultures, groups, and communities, varying race, ethnicity, gender identity, sexuality, religion, age, ability, socioeconomic status, and other categories of identity. The two hours of health equity CE credits may be earned as part of the health professional's existing CE requirements, therefore not requiring completion of additional CE hours.

Statutory Authority for Adoption: RCW 18.71.017, 18.130.050, and 43.70.613.

Statute Being Implemented: RCW 43.70.613.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: WMC, governmental.

Name of Agency Personnel Responsible for Drafting: Amelia Boyd, 111 Israel Road S.E., Tumwater, WA 98501, 360-918-6336; Implementation and Enforcement: Melanie de Leon, 111 Israel Road S.E., Tumwater, WA 98501, 360-236-2755.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Amelia Boyd, P.O. Box 47866, Olympia, WA 98504-7866, phone 360-918-6336, email amelia.boyd@wmc.wa.gov.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rule content is explicitly and specifically dictated by statute.

Is exempt under RCW 19.85.025(4).

Explanation of exemptions: This rule only applies to CE for professionals and does not apply to businesses.

Scope of exemption for rule proposal:

Is fully exempt.

August 21, 2023  
Melanie de Leon  
Executive Director

## OTS-4644.1

### NEW SECTION

**WAC 246-918-195 Health equity continuing education training requirements.** (1) A physician assistant must complete two hours of health equity continuing education training every four years as described in WAC 246-12-800 through 246-12-830.

(2) The two hours of health equity continuing education a physician assistant completes count toward meeting applicable continuing

education requirements in the same category specified in WAC 246-918-180.

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**OTS-4643.1**

NEW SECTION

**WAC 246-919-445 Health equity continuing education training requirements.** (1) A physician must complete two hours of health equity continuing education training every four years as described in WAC 246-12-800 through 246-12-830.

(2) The two hours of health equity continuing education a physician completes count toward meeting applicable continuing education requirements in the same category specified in WAC 246-919-460.

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